

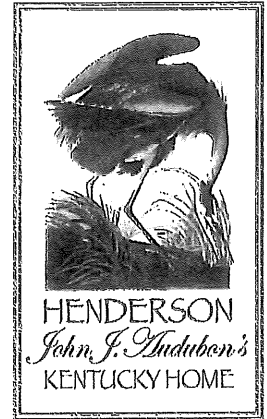
Steve Austin, Mayor

Commissioners:
Thomas E. Davis
Jan M. Hite
Robert M. Mills
Robert N. Pruitt



The City of Henderson

P.O. Box 716
Henderson, Kentucky 42419-0716



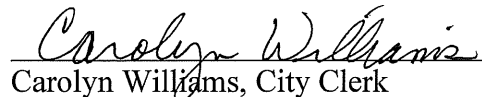
Russell R. Sights, City Manager
William L. Newman, Jr., Assistant City Manager
Dawn S. Kelsey, City Attorney
Carolyn Williams, City Clerk

CERTIFICATE OF CITY CLERK

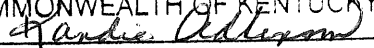
I, Carolyn Williams, hereby certify that I am duly qualified and acting City Clerk of the City of Henderson, Kentucky, that the foregoing Ordinance is a true copy of Ordinance No. 18-13, introduced, read, enacted, and adopted at a properly convened meeting of said City on May 28, 2013, signed by the Mayor and attested by me as City Clerk, as shown by the official records in my custody and under my control, and that said Ordinance Summary appears as a matter of public record in the official records of said City.

I further certify that said meetings were duly held in accordance with all applicable requirements of Kentucky law, including KRS 61.810, 61.815, 61.820, and 61.823, that a quorum was present at said meeting, that said Ordinance Summary has not been modified, amended, revoked, or repealed and that same is now in full force and effect.

IN WITNESS WHEREOF, I have hereto set my hand as City Clerk and the official seal of the City this 16th day of December 2014.


Carolyn Williams, City Clerk

RECEIVED AND FILED
DATE December 22, 2014

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY 



ORDINANCE REGARDING ANNEXATION

SUMMARY: AN ORDINANCE ANNEXING CERTAIN UNINCORPORATED TERRITORY TO THE CITY OF HENDERSON, KENTUCKY, BEING LOCATED WEST OF GARDEN MILE ROAD, NORTH OF KY HWY 812 (AIRLINE ROAD) AND EAST OF THE PENNYRILE PARKWAY, IN HENDERSON COUNTY, CONTAINING 34.968 ACRES, MORE OR LESS, OWNED BY BOARD OF EDUCATION OF HENDERSON COUNTY, KENTUCKY

WHEREAS, pursuant to the provisions of KRS 81A.412, the City of Henderson, Kentucky, desires to annex within the corporate limits of the City of Henderson that certain unincorporated area, which is located West of Garden Mile Road, North of KY 812 (Airline Road) and East of the Pennyrile Parkway, containing approximately 34.968 acres, more or less, and which is hereinafter described; and

WHEREAS, the real property to be annexed meets all of the requirements of KRS 81A.410; and

WHEREAS, the owner of record of the land to be annexed has given prior consent in writing to the annexation and has waived the waiting period therefor, copies of which consent and waiver are attached hereto, cumulatively marked Exhibit "A," and incorporated herein by reference.

NOW, THEREFORE, BE IT ORDAINED by the City of Henderson, Kentucky, as follows:

1. That the real property located West of Garden Mile Road, North of KY 812 (Airline Road) and East of the Pennyrile Parkway, in Henderson County, containing approximately 34.968 acres, more or less, containing approximately 34.968 acres, more or less, owned by Board of Education of Henderson County, Kentucky, as described in Exhibit "A-1", and as shown on the plat attached hereto marked Exhibit "B," which exhibits are incorporated herein by reference, be and said real property is hereby annexed to and made a part of the City of Henderson, Kentucky.

2. The zoning classification of said property shall be CITY AGRICULTURAL, pursuant to the recommendation of the Henderson City-County Planning Commission by letter dated June 5, 2013, a copy of which letter, with attachments, is attached hereto and incorporated herein by reference.

All ordinances or parts of ordinances in conflict herewith are hereby repealed and superseded to the extent of such conflict.

This ordinance shall become effective upon its legal adoption.

On the first reading of this ordinance, it was moved by Commissioner Robert M. Mills, seconded by Commissioner Jan Hite, that the ordinance be adopted on its first reading.

On roll call the vote stood:

Commissioner Pruitt:	<u>AYE</u>	Commissioner Hite:	<u>AYE</u>
Commissioner Davis:	<u>AYE</u>	Mayor Austin:	<u>AYE</u>
Commissioner Mills:	<u>AYE</u>		


WHEREUPON, Mayor Davis declared the ordinance adopted on first reading and ordered that it be presented for second reading at a meeting of the Board of Commissioners.

On second reading of the ordinance, it was moved by Commissioner Jan Hite, seconded by Commissioner Robert M. Mills, that the ordinance be adopted.

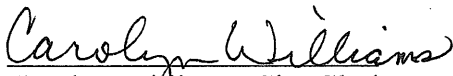
WHEREUPON, the vote was called. On roll call the vote stood:

Commissioner Pruitt:	<u>AYE</u>	Commissioner Hite:	<u>AYE</u>
Commissioner Davis:	<u>AYE</u>	Mayor Austin:	<u>AYE</u>
Commissioner Mills:	<u>AYE</u>		


WHEREUPON, Mayor Austin declared the ordinance adopted, affixed his signature and the date and ordered it be recorded.


Steve Austin, Mayor
Date: June 25, 2013

ATTEST:


Carolyn Williams, City Clerk

APPROVED AS TO FORM AND
LEGALITY THIS 5th DAY OF
JUNE, 2013.

By: 
Dawn S. Kelsey
City Attorney

CONSENT TO ANNEXATION

Board of Education of Henderson County, Kentucky 1805 Second Street, Henderson, Kentucky 42420 is the owner of certain real properties located at the intersection of Ky. Hwy 812 and Garden Mile Road in Henderson County, which properties are more particularly described in Exhibit "A-1" attached hereto; and as said owner does hereby consent in writing to the annexation into the City of Henderson, Kentucky of said properties as described in said Exhibit. Also, the Board of Education of Henderson County, Kentucky, does hereby waive all notice requirements with respect to such annexation, including, but not limited to the notices otherwise required by KRS 81A.420(1), KRS 81A.425, and the sixty (60) day waiting period provided for in KRS 81A.420(2); and Board of Education of Henderson County, Kentucky, further certifies that it is the sole owner of the properties to be annexed as described in the attached Exhibit.

SIGNED this 22 day of March, 2013.

By: Thomas L. Richey
Thomas L. Richey, Superintendent
Board of Education of Henderson County, Kentucky

STATE OF KENTUCKY

COUNTY OF HENDERSON ... SCT.

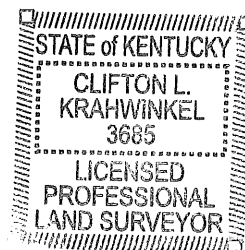
THE foregoing CONSENT TO ANNEXATION was signed and acknowledged before me, a Notary Public, by Thomas L. Richey for Henderson County School Board, this 22nd day of March, 2013.

My commission expires May 23, 2016.

Robin L. Newton
Notary Public
ID - 467186

(Seal)

EXHIBIT "A"



DESCRIPTION

UNANNEXED AREA WEST OF GARDEN MILE RD.,
NORTH OF KY. HWY. 812, EAST OF THE PENNYRILE PARKWAY
AND ADJOINING GARDEN MILE RD. RIGHT-OF-WAY

HENDERSON COUNTY, KENTUCKY

A certain tract or parcel located at the intersection of Ky. Hwy. 812 and Garden Mile Road in Henderson County, Kentucky, and being more specifically described as follows:

All bearings stated hereon are referred to Kentucky State Plane South Zone (NAD 83).

Beginning at a point in the north right-of-way line of Ky. Hwy. 812 (aka Airline Road), in the east right-of-way line of Garden Mile Road and being in the line of the existing limits of the City of Henderson, Kentucky as described in Annexation Ordinance 28-88;

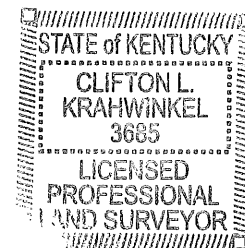
thence with the north right-of-way line of Ky. Hwy. 812 and with said existing city limits line the following four (4) calls

- 1) NORTH 45 DEGREES 54 MINUTES 55 SECONDS WEST, a distance of 125.91 feet to a point in said right-of-way, in said city limits line and being in the west right-of-way line of Garden Mile Road;
- 2) NORTH 52 DEGREES 52 MINUTES 52 SECONDS WEST, a distance of 6.01 feet to a point in said right-of-way and in said city limits line;
- 3) NORTH 47 DEGREES 59 MINUTES 13 SECONDS WEST, a distance of 51.54 feet to a point in said right-of-way and in said city limits line;
- 4) NORTH 47 DEGREES 59 MINUTES 13 SECONDS WEST, a distance of 78.87 feet to a point in said right-of-way and in said city limits line;

thence continuing with said right-of-way line, with said existing city limits line and with the line of the existing limits of the City of Henderson, Kentucky as described in Annexation Ordinance Book 9 Page 239, NORTH 47 DEGREES 59 MINUTES 13 SECONDS WEST, a distance of 683.18 feet to a point in the east right-of-way line of the the Pennyrile Parkway and being a corner to said existing city limits;

thence with the east right-of-way line of the Pennyrile Parkway and continuing with said existing city limits line, NORTH 05 DEGREES 20 MINUTES 44 SECONDS EAST, a distance of 1405.26 feet to a point in said right-of-way line and in said existing city limits line;

thence leaving said right-of-way line and continuing with said existing city limits line, NORTH 19 DEGREES 37 MINUTES 53 SECONDS EAST, a distance of 27.32 feet to a point in said existing city limits line and being a corner to the existing limits of the City of Henderson, Kentucky as described in Annexation Ordinance 8-86;



thence with said existing city limits line the following two (2) calls:

- 1) SOUTH 85 DEGREES 12 MINUTES 59 SECONDS EAST, a distance of 564.80 feet to a point at a corner of said existing city limits;
- 2) NORTH 04 DEGREES 46 MINUTES 42 SECONDS EAST, a distance of 821.54 feet to a point in said existing city limits line and being a corner to the existing limits of the City of Henderson, Kentucky as described in Annexation Ordinance 4-95;

thence with said existing city limits line the following two (2) calls:

- 1) SOUTH 75 DEGREES 06 MINUTES 05 SECONDS EAST, a distance of 49.27 feet to a point at a corner of said existing city limits;
- 2) SOUTH 85 DEGREES 14 MINUTES 00 SECONDS EAST, a distance of 140.18 feet to a point at a corner of said existing city limits and being in the west right-of-way line of Garden Mile Road;

thence with the west right-of-way line of Garden Mile Road, continuing with the said existing city limits line and with the line of the existing limits of the City of Henderson, Kentucky as described in Annexation Ordinance 35-95, SOUTH 06 DEGREES 50 MINUTES 18 SECONDS WEST, a distance of 225.17 feet to a point in said right-of-way line and in said existing city limits line;

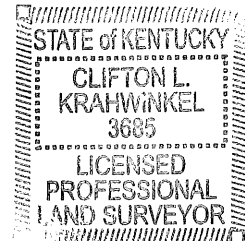
thence continuing with said right-of-way line and with said existing city limits line the following three (3) calls:

- 1) SOUTH 03 DEGREES 20 MINUTES 06 SECONDS WEST, a distance of 600.19 feet to a point in said right-of-way line and in said existing city limits line;
- 2) SOUTH 05 DEGREES 29 MINUTES 00 SECONDS WEST, a distance of 400.03 feet to a point in said right-of-way line and in said existing city limits line;
- 3) SOUTH 05 DEGREES 43 MINUTES 19 SECONDS WEST, a distance of 13.27 feet to a point in said right-of-way line, in said existing city limits line and being in the line of Ershig Properties, Inc. property recorded in Deed Book 336 Page 143;

thence leaving said right-of-way line and leaving said existing city limits line and with said Erhig property, SOUTH 14 DEGREES 04 MINUTES 30 SECONDS WEST, a distance of 1084.46 feet to a point at a corner of the Board Of Education Of Henderson County, Kentucky Property recorded in Deed Book 581 Page 533;

thence with said Board Of Education property, NORTH 77 DEGREES 09 MINUTES 48 SECONDS EAST, a distance of 78.14 feet to a point at a corner of said Board Of Education property and being in the north line of the Board Of Education Of Henderson County, Kentucky property recorded in Deed Book 439 Page 32-Tract 1,

thence with said Board Of Education property, NORTH 14 DEGREES 04 MINUTES 30 SECONDS EAST, a distance of 549.22 feet to a point in the north right-of-way line of Garden Mile Road;



thence with the north right-of-way line of Garden Mile Road the following two (2) calls:

- 1) NORTH 06 DEGREES 41 MINUTES 21 SECONDS EAST, a distance of 217.91 feet to a point in said right-of-way line;
- 2) NORTH 05 DEGREES 43 MINUTES 19 SECONDS EAST, a distance of 184.95 feet to a point in said right-of-way line and being a corner to the existing limits of the City of Henderson, Kentucky as described in Annexation Ordinance 35-95;

thence leaving said west right-of-way line and with said existing city limits line, SOUTH 75 DEGREES 42 MINUTES 07 SECONDS EAST, a distance of 105.59 feet to a point in said existing city limits line and being in the east right-of-way line of Garden Mile Road;

thence leaving said existing city limits line and with the east right-of-way line of Garden Mile Road the following four (4) calls:

- 1) SOUTH 03 DEGREES 48 MINUTES 45 SECONDS WEST, a distance of 167.46 feet to a point in said right-of-way line;
- 2) SOUTH 06 DEGREES 42 MINUTES 00 SECONDS WEST, a distance of 504.84 feet to a point in said right-of-way line;
- 3) SOUTH 09 DEGREES 10 MINUTES 50 SECONDS WEST, a distance of 202.26 feet to a point in said right-of-way line;
- 4) SOUTH 14 DEGREES 18 MINUTES 56 SECONDS WEST, a distance of 596.72 feet to the point of beginning and containing 34.968 acres more or less.



HENDERSON

CLAY ST

ARLINGTON DR.

GARDEN MILE RD.

ADAMS LANE

U.S. HWY 41

PENNYRILE PARKWAY

KY HWY 812 (AIRLINE RD)

AUDUBON PARKWAY

SITE

VICINITY MAP

PENNYRILE PARKWAY

NUMBER	DIRECTION	DISTANCE
L1	N 45°54'55" W	125.91'
L2	S 52°52'52" W	6.01'
L3	N 47°59'13" W	51.54'
L4	N 47°59'13" W	78.87'
L5	S 75°06'05" E	49.27'
L6	S 85°14'00" E	140.18'
L7	S 06°50'18" W	225.17'
L8	S 05°43'19" W	13.27'
L9	N 77°09'48" E	78.14'
L10	S 75°42'07" E	105.59'
L11	S 09°10'50" W	202.26'
L12	N 19°37'53" E	27.32'

SURVEYOR'S CERTIFICATION

I hereby certify that this plat was prepared from information contained in Deed Book: 439 Page 32, Deed Book 581 Page 533, Ky. Hwy. plans (FSP 051-7849-020), and existing ordinance's shown on this exhibit.



The basis of the bearings shown herein is (NAD 83) Kentucky State Plane South Zone. No monuments have been set. The information shown herein is true and correct to best of my knowledge and belief according to the information available to me.

DATE 3-21-13 SURVEYOR [Signature]
Clifton L. Krahwinkel, Ky P.L.S. # 3685

PROPERTY ANNEXATION EXHIBIT

UNANNEXED AREA WEST OF GARDEN MILE RD.,
NORTH OF KY. HWY. 812,
EAST OF THE PENNYRILE PARKWAY
AND ADJOINING GARDEN MILE RD. RIGHT-OF-WAY

(PREPARED FOR THE CITY OF HENDERSON, KY.)

STATE OF KENTUCKY CLAYTON L. RANWICKEL 3005		<i>Branson Surveys, inc.</i> 
330 SECOND ST., HENDERSON, KY 42420		
REVISIONS 10/27/80 10/27/80	PLAT: 3-21-13	SCALE: 1" = 150' PLAT: 66i PACKET: 66-i
		DWG NAME: ARCHERYANNEX DRAWING BY: <i>CLK</i>